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1 Q. Okay. Teachers can agree or disagree about certain
2 supplemental materials?
3 A. Absolutely.
4 Q. Are you familiar with the board of education's original
5 resolution to consider your termination?
6 A. The original, yes.
7 Q. Now I hand you Employee Exhibit No. 174. What is the
8 difference between the original resolution to consider the
9 termination of your teaching contract and the amended
10 resolution to consider termination of the contract?
11 A. I recall one word, and I have located it on page 2.
12 Q. Give us more description where it's at.
13 A. Page 2. It would be, you would say, the third
14 paragraph, the second line.
15 Q. Read it.
16 A. First line says, "Whereas Mr. Freshwater has
17 consistently failed to adhere to established curriculum under
18 the American Content Standards."
19 Q. Is there any such thing that you know of that is the
20 American Content Standards?
21 A. I have never heard of that.
22 Q. So their original resolution was put together in such a
23 manner that somebody didn't fully examine what the academic
24 content standards were?
25 A. That would be correct.

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1 Q. And they originally got the name wrong. Right?
2 A. That would be correct.
3 Q. And, then, in all of the -- or Board Exhibit No. 6, in
4 all the academic content standards there cited by Lynda
5 Weston and the two representatives from the science
6 department, did they ever once, once that you saw contemplate
7 the use of the academic content standard on page 216 as it
8 relates to explain why it's important to examine data
9 objectively and not let bias affect the observations?
10 A. No, they did not.
11 Q. The best you can tell, they didn't even know it
12 existed. Would that be accurate?
13 A. That would be accurate.
14 Q. John, you've had to answer up for a lot of different
15 things. One of the things that you had to answer up for, at
16 least in this hearing, is related to permission slips.
17 Right?
18 A. Yes.
19 Q. But permission slips, are they part of the original or
20 the amended document --
21 A. No.
22 Q. -- that has been called a resolution of intent to
23 consider your termination?
24 A. No.
25 Q. It's not mentioned anywhere in there, is it?

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1 A. Not mentioned in there.
2 Q. We've had to spend a lot of time talking about it.
3 Right?
4 A. Yes.
5 Q. And did we eventually get it straightened out?
6 A. Yes. April 2nd, 2008.
7 Q. Now, let's just start from the top of this document.
8 John, have you endangered or injured a student during your
9 time as a teacher?
10 A. No.
11 Q. John, there in the third paragraph of Board Exhibit No.
12 1, it states that the board retained counsel and requested a
13 complete investigation. Do you believe that there has been a
14 complete investigation put together by H.R. On Call?
15 A. No.
16 Q. Do you believe that it was neutral?
17 A. No.
18 Q. John, did you use a Tesla coil to mark the shape of the
19 cross into the arm of an eighth grade student?
20 A. No.
21 Q. John, do you have any reason to believe that any student
22 that has ever had the Tesla coil experiment ever received red
23 welts?
24 A. No.
25 Q. Did you ever see any evidence by anybody having received

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1 blistering?
2 A. No.
3 Q. Anybody ever have swelling or blanching?
4 A. No.
5 Q. Now, did you ever know or do you believe that you should
6 have known that you weren't to touch people with the Tesla
7 coil?
8 A. That I should not have touched them?
9 Q. Well, the allegation is this: The instructions for the
10 Tesla coil state never to come in contact. And the
11 allegation, or the charging document, says that you knew or
12 should have known about the manufacturer's advice.
13 A. No.
14 Q. What's your response?
15 A. No.
16 Q. The word "brand" is in the charging document there under
17 1B. Let me ask you this question: Did you ever brand a
18 religious symbol on anybody in your entire life?
19 A. No.
20 Q. You made a joke about this many times. Do you feel that
21 somebody has been branded in this situation?
22 A. Yes, me.
23 Q. And how so?
24 A. Ever since 2003 with the proposal.
25 Q. John, do you have any information that would lead you to